

June 29, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Electronically Filed

Re: *Telcordia Technologies, Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration*, WC Docket Nos. 07-149 & No. 09-109, CC Docket No. 95-116

Dear Ms. Dortch:

This letter responds to a recent filing by the Federal Bureau of Investigation (“FBI”) in the above-captioned dockets. The FBI’s letter fails to address the concerns raised in Neustar’s June 1, 2016, Motion for an Order To Show Cause as to why Ericsson should not be disqualified from serving as LNPA.¹ Although the FBI’s letter narrowly focuses on the services provided to the law enforcement community, it fails to address Ericsson’s misrepresentations or misconduct. The facts that have been revealed indicate that Ericsson misled the Commission and violated national security requirements set forth in the *Selection Order*.² Such conduct would merit disqualification.

There has still been no public explanation of what happened either from Ericsson or the Commission. The FBI’s filing does not bridge the gap. The FBI states that it “does not possess any information” to question Ericsson’s ability to provide LNP database services or “to

¹ See Motion of Neustar, Inc. To Order Telcordia Technologies, Inc. To Show Cause Why It Should Not Be Disqualified from Selection as Local Number Portability Administrator, WC Docket Nos. 09-109 & 07-149, CC Docket No. 95-116 (June 1, 2016).

² Order, *Telcordia Techs., Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration*, 30 FCC Rcd 3082, ¶ 82 (2015) (“*Selection Order*”).

Ms. Dortch
June 29, 2016
Page 2

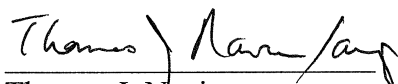
otherwise object” to Ericsson’s selection.³ That agency’s views are essentially the perspective of a customer; there is no indication that it has all the facts. It is the Commission’s responsibility to obtain the relevant information, make it public, and give affected parties an opportunity to present their concerns.

Moreover, recent news reports have revealed that the Department of Justice and Securities and Exchange Commission are currently conducting Foreign Corrupt Practices Act investigations concerning Ericsson’s actions in China.⁴ Given that the role of the LNPA is a public trust, the Commission should do its due diligence to ensure that no government investigation involves conduct that makes Ericsson ineligible to become the LNPA.

Given that the FBI’s letter fails to respond to the Motion To Show Cause, the Commission must order full disclosure of the relevant facts. If Ericsson did mislead the Commission, it cannot serve as LNPA. The longer questions linger about what underlies the extraordinary disclosures of April 2016, the harder it is to avoid the conclusion that a cover-up of misconduct – including potentially unlawful conduct – has occurred.

Pursuant to Section 1.1206 of the Commission’s rules, 47 C.F.R. § 1.1206, a copy of this letter is being filed via ECFS. If you have any questions, please do not hesitate to contact us.

Respectfully submitted,



Thomas J. Navin
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000
tnavin@wileyrein.com



Aaron M. Panner
KELLOGG, HUBER, HANSEN, TODD,
EVANS & FIGEL, P.L.L.C.
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
(202) 326-7900
apanner@khhte.com

Counsel for Neustar, Inc.

³ Letter from A. Todd McCall, Ass’t Dir., Operational Tech. Div., FBI, to Marlene H. Dortch, Sec’y, FCC, WC Docket No. 09-109, CC Docket No. 95-116 (June 27, 2016).

⁴ *Ericsson Confirms U.S. Anticorruption Probe*, Wall Street Journal, June 17, 2016 http://www.wsj.com/articles/ericsson-confirms-u-s-anticorruption-probe-1466159311?_sm_au=iVVJFfNRQ656Vkp6. See also *Ericsson confirms corruption investigation*, Mobile World Live, June 17, 2016, http://www.mobileworldlive.com/featured-content/home-banner/ericsson-confirms-us-corruption-investigation/?_sm_au=iVVJFfNRQ656Vkp6.

Ms. Dortch
June 29, 2016
Page 3

cc: Diane Cornell
Claude Aiken
Travis Litman
Nicholas Degani
Amy Bender
Matt DelNero
Kris Monteith
Ann Stevens
Marilyn Jones
Sanford Williams
Jonathan Sallet
Michele Ellison
Rear Admiral (ret.) David Simpson
Debra Jordan